

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. BUR91999022US2

In re Application of

ERIC ADLER

Serial No.: 09/895,232

Filed: JANUARY 25, 2002

For: METHOD OF FABRICATING A CAPACITOR HAVING SIDEWALL SPACER PROTECTING THE

DIELECTRIC LAYER

§ Examiner: TUGBANG, A.D.

Art Unit: 3729

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TECHNOLOGY CENTER R3700

<u>PETITION FOR EXTENSION OF TIME</u> <u>WITHIN THE FIRST MONTH</u>

M/S Non-Fee Amendment Assistant Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicant respectfully petitions for a one-month extension of time in which to file a Notice of Appeal in the above case, in response to the Advisory Action mailed September 30, 2003, pursuant to 37 CFR Section 1.17(a).

12/16/2003 NDANTE1 00000107 090456 09895232

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CERTIFICATE OF MAILING

37 CFR 1.8(A)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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[AThere D. Melsen.]

Date

Signature

Please charge **IBM Deposit Account No. 09-0456** in the amount of \$110.00 for a one-month extension fee. If any additional fees are required, please charge those fees to **IBM Deposit Account No. 09-0456**.

Respectfully submitted,

Brian F. Russell Reg. No. 40,796

BRACEWELL & PATTERSON, L.L.P.

f. Dusell

P.O. Box 969

Austin, Texas 78767-0969

512.472.7800

ATTORNEY FOR APPLICANTS